

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Upon entry of this Amendment, claims 1-6 are pending in the application. In response to the Office Action (Paper No. 6), Applicant respectfully submits that the pending claims define patentable subject matter.

Although the Examiner acknowledged the claim for foreign priority under 35 U.S.C. § 119, the Examiner did not acknowledge receipt of the priority document. However, as indicated in the Notice of Acceptance of Application under 35 U.S.C. § 371 and 37 C.F.R. § 1.494 or 1.495 dated July 9, 2001, the priority document was forwarded by and received from the International Bureau. Accordingly, the Examiner is requested acknowledge receipt of the priority document in the next action.

The drawings are objected because the Examiner maintains that the elements of Figures 1 and 2 need text labels. Applicant is submitting the replacement drawings wherein the elements are provided with text labels. Accordingly, the Examiner is requested to remove the objection to the drawings.

Claims 4-6 are objected to and claims 2 and 4 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. By this Amendment, Applicant has amended the claims to address the Examiner's concerns and improve clarity. Accordingly, the Examiner is requested to withdraw the § 112, second paragraph, rejection.

Claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by Schaefer et al. (U.S. Patent No. 6,157,927; hereafter "Schaefer"). Applicant respectfully submits that the claimed invention would not have been anticipated by or rendered obvious in view of Schaefer.

The present invention is directed to asynchronous transmission of information in accordance with ACID (Atomicity, Coherence, Isolation and Durability) properties wherein independent transactions are established between each link of a chain of communication channel. In order to transmit the information according to ACID properties (transaction), from the source to the recipient, several possibilities exist, e.g., having a global transaction (waiting for the "commit" of the recipient, to consider the communication as "ok"). However, the issue here was to provide the source with an asynchronous communication means towards the recipients. So, this way of doing was not acceptable, and the idea is rather to have this chain of transaction: the source receives the "commit" when the first link has received the information, i.e. with no delay. Then, each link will set up a new (independent) transaction with the following link.

Schaeffer only discloses the basics for transactional communication. The paragraphs of Schaeffer cited by the Examiner (column 2, lines 24-61, column 3, lines 1-53 and column 14, lines 6-10) only point out the definitions of transactions and ACID properties. Although Schaefer discloses the concept of "global transaction", i.e. involving several transactions, the reference does not teach or suggest that these transactions are independent, as required by the claims. On the contrary, Schaeffer discloses that the transactions are dependant (see column 3, lines 13-14, "the database updates are made on an all-or-nothing basis"). This means that the result of each particular transaction depends on the results of other transactions.

Accordingly, Schaefer does not teach or suggest transmitting the information via independents transactions between the service clients (supplier and consumer) and the communication channels, as required by the claims.

In addition, the issues addressed by Schaeffer and the present invention are very different. Schaeffer tries to solve the problem of having several transactions between several databases and maintaining synchronicity between them. Each of these transactions has the client as starting point and one database as recipient point. On the other hand, the present invention solves the issue of transmitting information from one source to a recipient through a chain of channels, each channel being associated with a transaction. Such a chain is not disclosed in the portions of Schaefer cited by the Examiner. Accordingly, Schaeffer does not teach or suggest the claimed feature of having "said supplier and said consumer being connected by a chain of communication channels", as required by claim 1.

Further, it is also clear from the teachings of Schaefer that all these transactions are performed in parallel, whereas in the present invention, there is a sequence of transactions. In claims 4 and 6, the feature of "initiating transactions containing said information with said clients if said transaction has succeeded" implicitly means that one waits to assert that the transaction has succeeded before to initiate the next transaction with the next link.

Accordingly, Applicant respectfully submits that claims 1-6 should be allowable because Schaefer does not teach or suggest all of the features of the claims.

Lastly, the Examiner (pages 5 and 6) asserts that the present invention has been allegedly disclosed by references cited in the International Search Report. EP 0817019 (designated as a category "X" reference) was the only reference cited in the International Search Report as being relevant to the claimed invention (category "A" means a reference is not considered particularly pertinent). Although EP 0817019 discloses a chain of transaction (figure 4, column 11, last


AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Patent Application No. 09/807,464

paragraph), the disclosed process is completely opposite of the claimed invention: "[a]lso within its commit scope, i.e. before commit its work, T1 issues 404 the execution request of the next member transaction" In other words, the chained transactions are dependent on each others (i.e., a transaction will only commit if the subsequent transactions commit). The claimed feature of "initiating transactions containing said information with said clients if said transaction has succeeded" is not disclosed by EP 0817019 since the transactions are initiated before the commit, i.e., before knowing if it has succeeded or not.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Christopher R. Lipp
Registration No. 41,157

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 6, 2004

Attorney Docket No.: Q64056